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Report of the Working Group of Experts on People of African Descent on its twenty-first and twenty-second sessions

Note by the Secretariat

The Secretariat has the honour to transmit to the Human Rights Council the report of the Working Group of Experts on People of African Descent on its twenty-first and twenty-second sessions, prepared pursuant to Council resolutions 9/14, 18/28, 27/25 and 36/23. During its twenty-first session, held in Geneva from 20 to 24 November 2017, the Working Group held private discussions. At its twenty-second session, held in Geneva from 19 to 23 March 2018, the Working Group focused on the theme "Framework for a declaration on the promotion and full respect of human rights of people of African descent".

The Working Group concluded that the draft declaration should recognize the cultural, economic, political, and scientific contributions of people of African descent. It should also highlight the interconnectedness of past to present, mainly of the legacy of the transatlantic trade in enslaved Africans and colonialism with the persistence of racism, racial discrimination, Afrophobia, xenophobia, marginalization and related forms of intolerance against people of African descent today. In addition, multiple and intersecting forms of discrimination faced by people of African descent should be acknowledged and combated through the framework of the 2030 Agenda for Sustainable Development. All relevant stakeholders should make an effort to implement the Durban Declaration and Programme of Action and the programme of activities of the International Decade for People of African Descent.

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Report of the Working Group of Experts on People of African Descent on its twenty-first and twenty-second sessions*

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* The annex to the present report is circulated as received, in the language of submission only.

I. Introduction

1. The Working Group of Experts on People of African Descent held its twenty-first session from 20 to 24 November 2017 and its twenty-second session from 19 to 23 March 2018 at the United Nations Office at Geneva. The present report is submitted in accordance with Human Rights Council resolutions 9/14, 18/28, 27/25 and 36/23, in which the Council requested the Working Group to submit an annual report on all activities relating to its mandate. The report focuses mainly on the deliberations at the twenty-second session of the Working Group.

2. Representatives of Member States, the Holy See, international organizations, regional organizations and non-governmental organizations (NGOs) and invited panellists participated in the twenty-second session (see annex).

II. Organization of the twenty-second session

A. Opening of the session

3. In her opening statement, the Director of Thematic Engagement, Special Procedures and the Right to Development Division of the Office of the United Nations High Commissioner for Human Rights (OHCHR), expressed appreciation for the work undertaken by the Working Group. She outlined the importance of the thematic discussions of the session on violent manifestations of racism and racial discrimination, the administration of justice, land rights and reparations in addressing some of the most pervasive human rights concerns of people of African descent. She noted that despite the existence of the robust anti-racism architecture of the United Nations, the mechanisms in place were only fully effective when Member States honoured their commitment to international human rights treaties, the Durban Declaration and Plan of Action and the programme of activities of the International Decade for People of African Descent, along with sustained civil society engagement and participation in those mechanisms.

4. The Director also encouraged the Working Group to continue to reach out to financial and development institutions through the development of its operational guidelines based on the Sustainable Development Goals in which the theme "leave no one behind" had a special meaning for people of African descent. She also took note of the initiatives of the Decade to draft a declaration on the promotion and full respect of human rights of people of African descent and emphasized the need for strong political will and civil society engagement to accomplish the task. She reaffirmed the commitment of the United Nations High Commissioner for Human Rights, as the Coordinator of the International Decade, to advancing the rights of people of African descent.

B. Election of the Chair-Rapporteur

5. Michal Balcerzak was elected Chair-Rapporteur of the Working Group.

6. Sabelo Gumedze, the outgoing Chair-Rapporteur, welcomed Marie-Evelyne Petrus-Barry as a new member of the Working Group and thanked the other members for their contributions. Mr. Gumedze also acknowledged both the success of the Working Group in having their recommendations adopted by States on the issue of racial discrimination faced by people of African descent and the need to continue efforts to have more States adopt its recommendations.

7. Accepting his new role as Chair-Rapporteur, Mr. Balcerzak thanked the other experts for his election and the participants for their support.

8. The representatives of Brazil, Canada, Haiti, Peru, Togo (on behalf of the Group of African States) and Venezuela (Bolivarian Republic of) expressed their appreciation to Mr.

Gumedze for his work during his tenure as Chair-Rapporteur and congratulated Mr. Balcerzak on his election.

C. Organization of work

9. The Working Group adopted the agenda (A/HRC/WG.14/22/1) and programme of work.

III. Update and briefings on activities undertaken by the Working Group in the past year

10. Mr. Balcerzak informed participants that the Working Group had submitted its annual report on its nineteenth and twentieth sessions to the Human Rights Council at its thirty-sixth session, including reports on its country visits to Canada and Germany (A/HRC/36/60 and Add.1 and 2), and had engaged in a constructive dialogue with Member States. The Working Group also submitted its annual report to the General Assembly at its seventy-second session (A/72/319) and participated in an interactive dialogue with the Third Committee on 31 October 2017.

11. At its twenty-first session, the Working Group had held a closed meeting at which members reviewed the methods of work of the Working Group, prepared for its upcoming session, communications and country visits, and held meetings with various stakeholders and representatives of OHCHR. The Working Group had decided to liaise more intensively with financial and developmental institutions. It had also met with the Committee on the Elimination of Racial Discrimination to explore ways to increase collaboration between the two mechanisms on issues of mutual concern.

12. The Working Group had conducted country visits to Guyana (2–6 October 2017) and Spain (19–26 February 2018). At the end of each visit, the Working Group had released press statements.[1] Reports of the visits would be submitted to the Human Rights Council at its thirty-ninth session. The Working Group thanked the Governments of Guyana and Spain for their invitation and for their assistance before, during and after the visits. The Working Group also thanked the representatives of NGOs and people of African descent with whom it had met.

13. The Working Group had continued to actively promote and participate in activities to interact with civil society and assist stakeholders in the implementation of the programme of activities for the International Decade for People of African Descent. It had participated in the regional meeting for Europe, Central Asia and North America held in Geneva on 23 and 24 November 2017. It had also established a standing agenda item for discussion in its public session on the International Decade as a commitment to raising further understanding and awareness of the need to implement the International Decade.

14. Ahmed Reid and Mr. Gumedze had participated (through a video message) in the launch of the Centre for Reparations Research at the University of the West Indies in Jamaica from 10 to 12 October 2017. From 8 to 11 March 2018, Mr. Reid had participated in the summit for the International Decade for People of African Descent in Georgetown on the theme "Where we are, where we ought to be, and how do we get there?" On 25 September 2017, Mr. Gumedze had delivered a keynote address on behalf of the Working Group at a side event during the thirty-sixth session of the Human Rights Council on racism, discrimination, Afrophobia and xenophobia in the United States of America, as a follow-up to the mission undertaken by the Working Group in 2016. On 10 October 2017, Mr. Gumedze had attended the fifteenth session of the Intergovernmental Working Group on the effective implementation of the Durban Declaration and Programme of Action in Geneva. Ricardo Sunga III had written a paper exploring the human rights experience of people of African descent in Asia, which had been published by the University of the

[1] See https://ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=22212&LangID=E and https://ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=22705&LangID=E.

Philippines. In a presentation to the Committee on the Elimination of Racial Discrimination on November 29, 2017, Ms. Petrus-Barry had noted that during all the fact-finding country visits undertaken by the Working Group, racial profiling had been identified as a major hindrance for people of African descent in the enjoyment of their human rights. In February 2018, Ms. Petrus-Barry had contributed to activities during the Month of Africa and People of African Descent in Guadeloupe, at which she had given a presentation on the programme of activities of the International Decade for People of African Descent to local NGOs that were looking for ways to implement the International Decade. She had also given a series of interviews regarding the International Decade in various media outlets. Mr. Balcerzak had given a presentation on the rise of populism and far-right movements in Europe at a seminar at the University of Liège in February 2018, an event that was co-organized by OHCHR.

15. During the reporting period, the Governments of Belgium, Norway and Uruguay had extended invitations to the Working Group to visit in 2019 and the Governments of Switzerland and the United Kingdom of Great Britain and Northern Ireland had invited the Working Group to visit in 2020. The Working Group expressed its appreciation to all the Governments that have cooperated with the mandate and invited it to undertake country visits. The Working Group had requested invitations to visit other countries and emphasized the importance of confirming dates and allowing visits to be planned and to proceed on schedule.

16. During the reporting period, and in accordance with its mandate, the Working Group had sent eight communications regarding allegations of human rights violations to Brazil, Guyana, Libya, Indonesia, Israel, Italy, Spain, the United Kingdom and the United States. The communications sent and replies received had been included in the joint communications reports of special procedures mandate holders submitted to the Council (A/HRC/39/27, A/HRC/38/54 and A/HRC/37/80). The Working Group urged States to address human rights violations faced by people of African descent seriously and to take effective measures to end impunity and structural racism.

17. The Working Group also issued several media statements during the reporting period. On 16 August 2017, it warned that racism and xenophobia were on the rise across the United States in the wake of the far-right demonstrations and violence in Charlottesville, Virginia. On 6 October 2017, it joined several special procedures mandate holders in a statement calling for urgent action to end the disproportionate impact of the death penalty on people from poorer communities. On 30 November 2017, the Working Group joined other special procedures mandate holders and issued an urgent call for action to ensure a future based on equality, justice and solidarity, marking the thirty-first anniversary of the Declaration on the Right to Development. That same day, it also joined in a statement urging the Government of Libya to take urgent action to end the country's trade in enslaved Africans, after shocking images showing an auction of Africans were captured on video and televised across the globe. On 1 March 2018, the Working Group joined several special procedures mandate holders in a statement urging an immediate halt of plans to deport Eritrean and Sudanese nationals from Israel. On the International Day for the Elimination of Racial Discrimination on 21 March, the Working Group, the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance and the Committee on the Elimination of Racial Discrimination issued a joint statement urging States to act against resurgent hate and structural discrimination. On 26 March 2018, the Working Group joined a statement expressing alarm over the killing of prominent Afro-Brazilian human rights defender Marielle Franco, who had decried the use of force by the military in Rio de Janeiro, Brazil. On 27 April 2018, the Working Group issued a statement expressing serious concerns over the deaths of people of African descent and of ethnic minorities in custody, which reinforced concerns about "structural racism" in the United Kingdom.

18. Following the internal session of the Working Group in November 2017 and the Regional Meeting on the International Decade for People of African Descent on 25 and 26 November, the Working Group had also organized a meeting on addressing racial stereotypes of people of African descent, with the participation of members of the Committee on the Elimination of Racial Discrimination and several civil society activists.

The discussion had focused on issues of perception, representation, historical stereotyping and portrayal in the media; racial bias and stereotypes in the justice sector; stereotypes in the education, housing, employment and health sectors; and gender and other forms of stereotypes faced by people of African descent, and the participants had deliberated on good practices to combat such stereotypes. The Working Group was planning to develop a thematic report based on the discussions at the meeting and its ongoing research.

19. The Working Group had continued its work on advancing engagement with financial and development institutions. It had commenced preparation of a draft set of operational guidelines on the Sustainable Development Goals in relation to people of African descent. It aimed to field-test the guidelines by engaging with national authorities and partners to promote the human rights of people of African descent in national programming processes. During the reporting period, Working Group members Mr. Reid and Mr. Balcerzak had taken part in a panel on international human rights mechanisms and the role of national human rights institutions in supporting the implementation of the 2030 Agenda for Sustainable Development, which was held during the high-level political forum on the Sustainable Development Goals in New York on 13 July 2017. The Working Group had also held a meeting on 3 November 2017 with the United Nations Development Group in New York on the operational guidelines and received valuable feedback.

20. The Chair opened the floor for Member States. The representative of Brazil reported that in the previous year it had, together with several other Member States, presented a resolution on the elaboration of a draft declaration on the promotion and full respect of human rights of people of African descent. The speaker reaffirmed the support of Brazil for such a declaration, stressed the importance of addressing multiple and intersecting forms of discrimination and urged all Member States and relevant stakeholders to start negotiations on the draft declaration as a concrete outcome of the International Decade for People of African Descent. The representative also recommended the creation of an international forum of people of African descent. The representative of Togo, on behalf of the African Group, expressed eagerness to follow up the processes recommended in the Durban Declaration and Programme of Action to raise awareness of the ongoing consequences of the enslavement and colonialism suffered by people of African descent. The representative of Peru noted that Peru was one of the co-authors, along with Brazil, of the above-mentioned resolution. The representative of Canada stated that on 30 January 2018 its Prime Minister had announced official recognition of the International Decade. The representatives of Haiti and the Bolivarian Republic of Venezuela expressed satisfaction at participating in the session of the Working Group.

IV. Summary of deliberations

Thematic analysis

21. The Working Group devoted its twenty-second session to the theme "Framework for a declaration on the promotion and full respect of human rights of people of African descent".

22. The first panel discussion focused on violent manifestations of racism, racial discrimination, Afrophobia, xenophobia and related intolerance through extremist ideologies, hate speech and incitement to hatred. The topic was discussed pursuant to Human Rights Council resolution 36/23 on the mandate of the Working Group, in which the Council requested "the Working Group to pay special attention in its annual report to the rising tide of racism and racial hatred, as evidenced by the resurgence of white supremacist ideologies, and extremist nationalist and populist ideologies, and to make specific recommendations in this regard."

23. Mr. Sunga delivered a presentation entitled "Reflections on right-wing extremism". He shared the experience of the Working Group during their country visits, during which they had observed the effects of right-wing extremism on the lives of people of African descent. He attributed the lack of understanding and fear of the person of African descent to recent migration trends, the perceived stress on national economies and social welfare

systems, and the global fight against terrorism. He also asserted that each person was able to make a unique and meaningful contribution to society and all persons, including migrants, whatever the nature of their contribution, had infinite value simply by being. Mr. Sunga reiterated the significant role of the State in promoting positive perceptions of migrants to the public, including the presentation of facts and studies that included the contribution of migrants to society. On the matter of the prevention of violent extremism, Mr. Sunga recommended that States develop joint and participatory strategies with civil society and local communities to protect communities from recruitment for violent extremism. In addition, he suggested that States use confidence-building measures at the community level by providing appropriate platforms for dialogue and the early identification of grievances. He stated that the Durban Declaration and Programme of Action and the programme of activities of the International Decade for People of African Descent were useful instruments that would provide guidance in this connection.

24. Joe Frans, a former member of the Swedish parliament and a former Chair of the Working Group, highlighted in his presentation an increase in racism, which was perpetrated through hate speech and manifested by violence towards people of African descent around the world, particularly in Europe and North America. He explained the three levels at which racism functions: institutional racism, mediated racism and internalized racism. He pointed out the importance of understanding how exactly racism permeates the very social fabric of societies to develop mechanisms to redress the issue. For instance, America's "Black lives matter" movement had arisen out of the deaths of black people, but it was not a new development. The root cause was slavery and colonialism. Another example from Denmark showed how policymaking affected racism. According to Mr. Frans, the Government of Denmark had recently decided to empower the police to adopt a regime where the same type of crime would attract different sanctions depending on in which part of the city an individual lived. Even though the motive of the policy was to combat crime, it risked criminalizing a certain group of people because of where they resided, whereby people of African descent were negatively affected because they lived in the affected areas, when the main issue was poverty. He added that such policies led to gains for far-right parties and emboldened them to raise the tone of their anti-migrant, anti-black rhetoric. He called for continued efforts by the whole human rights community, including the Working Group, to rectify structural and institutional discriminatory policies.

25. During the interactive discussion, Mr. Gumedze asked the panellists how States could address the issue of extremist ideologies and violence against people of African descent if they lacked data disaggregated on the basis of race or ethnicity. Mr. Sunga agreed that it was indeed difficult to address the issue without proper data. While the best option would be to strongly urge States to count people on their territory on the basis of voluntary self-identification, Mr. Frans suggested the development of application software in order to keep track of racist crimes and unfair treatment faced by people of African descent. Mr. Gumedze also wanted to know how to deal with violent extremism in sports and during election periods when hate speech was commonly employed in order to win votes. Mr. Frans suggested that the Working Group could engage further with sporting federations. He called upon civil society to take an active role in pushing back on the increasing tolerance for hate speech during elections. Mr. Balcerzak commented that the climate of tolerance for hate speech was the root of the problem and that there should therefore be laws in place to punish and criminalize hate crimes. Mr. Reid commented that one way forward in addressing institutional and violent racism was for States to implement the Durban Declaration and Programme of Action and the programme of activities of the International Decade for People of African Descent, with an emphasis on teaching African history and highlighting the contribution made by people of African descent.

26. One representative of an NGO pointed to the importance of seeking the source of racism rooted in the notion of white supremacy. Another representative of a civil society organization voiced deep concern at the rise of incidents targeting racial, ethnic and religious minorities and the proliferation of violent hate groups and called upon the Working Group to encourage Member States, in the strongest possible terms, to hold violent hate groups and individuals accountable, to honour non-refoulement obligations and ensure that national immigration policies and law enforcement policies did not discriminate based on race, national origin or other status. Mr. Balcerzak stated that the Working Group

regularly reacted and responded to such concerns through its communications procedure. Another civil society representative stated that racial profiling had the potential and propensity to give rise to police brutality and other rights violations. The tendency of police forces to disproportionately stop and search people of African descent could also lead to detention experiences that might amount to torture. Mr. Frans expanded upon this, suggesting that racial profiling was a form of racial violence. Mr. Gumedze noted that during the fact-finding country missions undertaken by the Working Group, encounters with police and administrative bodies had revealed a distinct lack of representation of people of African descent, which resulted in people of African descent being unwilling to report violations of their human rights. He noted that the Working Group would continue to encourage representation in such bodies to further address the challenges of racial profiling.

27. The second panel focused on the theme "Administration of justice: police violence, prisons and accountability". Mr. Gumedze gave a presentation on the topic and commented that the reason for the continued rise in violence against people of African descent lay in the lack of willpower of those who were involved in the administration of justice to apply international human rights principles. Mr. Gumedze recalled the conclusions drawn by the Working Group from its fact-finding visits to several countries on police violence, where a pattern of impunity for police violence, including the killing of unarmed people of African descent, had been involved. He also expressed concern at the overrepresentation of people of African descent in penitentiary systems and prolonged pretrial detention. Racial profiling of people of African descent and the impunity of the officers involved were common and he concluded that States must hold accountable those who violated the rights of people of African descent and ensure that they accounted for their actions or omissions in the administration of criminal justice, as provided for in the Durban Declaration and Programme of Action and directed by the International Decade for People of African Descent.

28. Evita Chevry, an attorney from Guadeloupe, gave a presentation on the administration of justice in Guadeloupe. The fact that most law enforcement officers were white, coupled with the language barrier, were leading causes for the prevalence of racial discrimination. Ms. Chevry stated that police violence existed in Guadeloupe; however, until the media reported such incidents, it was very rare that cases of police violence were heard in the courts. She added that the lack of data on ethnicity should not be an excuse to look further into the unequal treatment of people of African descent since the majority of people in Guadeloupe were of African descent. Ms. Chevry also pointed to overcrowding in prisons and an insufficient number of medical doctors and inadequate facilities in prisons. She expressed concern about lower than national average rates of education among those imprisoned. Ms. Chevry concluded by emphasizing the importance of French human rights obligations.

29. Mr. Frans emphasized in his presentation that racial discrimination in the administration of justice was a global problem, which subverted the rule of law, undermined faith in the legal system and resulted in the victimization of racial and ethnic groups by the very institutions responsible for their protection. He showed how volatile situations could become when racial injustice was combined with the administration of criminal law, providing examples of riots in Los Angeles and Florida. Mr. Frans further commented that despite the significant population of people of African descent in Europe, structural racism, marginalization and the exclusion of people of African descent was not on the European political agenda. He elaborated on how race disproportionately affected people of African descent with regard to the death penalty, harsher sentences, the lower likelihood of making bail and the higher rates of "stop and search" by the police. He concluded his presentation by urging the Working Group to engage with the International Criminal Police Organization (INTERPOL) and the International Council of Police Representative Associations to combat racism towards people of African descent in the administration of justice.

30. During the interactive dialogue, Mr. Reid shared his observation from the fact-finding visits of the Working Group that there was a growing trend for women of African descent to end up in the criminal justice system, with detrimental effects on their children as well as themselves. Ms. Chevry mentioned that there had been big demonstrations in

Guadeloupe requesting the Government to come up with protection policies for women, including education on gender relations. Mr. Balcerzak inquired about the issue of access to legal representation for victims of racism and racial discrimination, suggesting that it would require coordination with groups such as lawyers' associations. Mr. Frans responded that there was an issue with the quality of legal aid, even though most European countries had a framework for legal aid. He called upon civil society to take up cases involving discrimination against people of African descent to build praxis in various jurisdictions upon which to rely. He encouraged the Working Group to increase cooperation with the International Bar Association and the International Association of Judges.

31. Lack of interpretation or cultural understanding of non-verbal communication for migrants of African descent who find themselves subjected to the criminal justice system, compounded by a lack of representation, was also raised as an important issue by several members of the Working Group and the panellists. Ms. Chevry emphasized the seriousness of the issue in Guadeloupe, where people of African descent might feel pressured to use the French language, leading to misinterpretation arising from subtle differences between the French and Creole languages. Ms. Petrus-Barry commented on the lack of representation of people of African descent in the judiciary in France. In Guadeloupe, civil society actors had protested and requested the Government to have quotas on media personnel, in order to have equal representation of all races, but to no avail. She also noted that people of African descent were often relegated to non-public sectors and were working in low-paid and menial jobs rather than in higher posts in the public sector. The representative of Brazil pointed to the use of and support for positive measures as an imperative for bringing about equality and representation for people of African descent, and described their application in Brazil. The speaker also called for the principle of positive measures to be incorporated in the draft declaration on the promotion and full respect of human rights of people of African descent.

32. One representative of an NGO commented on the lack of action to counter bias-based policing. Another civil society representative supported the recommendation of the Working Group that comprehensive legislation prohibiting racial profiling be adopted and racial profiling and treatment of minorities by law enforcement be monitored. Civil society representatives also raised the issue of prison conditions affecting people of African descent, given their disproportionate incarceration rates. A civil society representative called upon all Member States to implement the International Decade for People of African Descent, noting that while discussions focused on global initiatives, there were country-specific duties, which States needed to fulfil.

33. The third panel focused on the theme "Land rights for people of African descent". In his presentation, Mr. Reid emphasized the reason that land rights should form the cornerstone of the draft declaration on the promotion and full respect of human rights of people of African descent. Mr. Reid stated that the long-term effects of a policy to exclude people of African descent from owning land were observable today. He provided examples of the British enslavers even receiving compensation money until recently, whereas the enslaved persons and their descendants were left landless in the Caribbean. Mr. Reid explained that the situation was similar in North America after emancipation. He also provided examples from Latin American countries, where the expansion of mining and petroleum activities were resulting in the expropriation of land and creating conflicts among indigenous peoples, people of African descent and others. Mr. Reid concluded his presentation with the recommendation that Member States actively consider, where possible, instituting legislation on an ancestral rights bill for people of African descent. He also recommended that Member States guarantee recognition, titling and demarcation of land belonging to people of African descent, which was aimed at resolving all outstanding land claim issues within historically black communities. Finally, he recommended that Member States remove the bureaucratic obstacles that prevented people of African descent from rightfully claiming their land.

34. The second presenter, Kimani Nehusi, Associate Professor of Africology and African American Studies at Temple University in the United States, highlighted ignorance as the main factor perpetuating structural violence against people of African descent. He provided some historical accounts of the long relationship that Africans have had with land

since the beginning of civilization. He further highlighted the spiritual, religious, administrative and cultural connection that people of African descent had with land. Mr. Nehusi pointed out that the consequence of colonization was not just that they were dispossessed of land but also that there was no compensation for their labour for people of African descent. He requested the Working Group to support people of African descent in recovering their ancestral lands. He also recommended that Africans be involved at all levels of society to search for solutions on land issues. Lastly, he recommended the training and teaching of African culture and history and the return of lands obtained by colonization.

35. The Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance gave a presentation by video statement. She pointed out that denial of land rights was one of the most persistent and structurally rooted forms of racial oppression confronting people of African descent and Africans in Africa. The Special Rapporteur stated that in the diaspora, communities of African descent were facing a risk of forced, violent and often deadly displacement because Governments, multinational corporations and even multilateral financial institutions often used the discourse of development to legitimize the dispossession of those communities of their land. Even in urban settings, people of African descent confronted documented, egregious racial discrimination related to security of tenure, including in their access to housing. She suggested that in order to resolve the issue, there must be an acknowledgement by the former colonial powers of their shared moral responsibility for finding workable solutions that respected human rights to the failure of decolonization processes, providing pathways to substantive racial equality in landownership. She also emphasized that women of African descent must be included in the discussion as they are especially vulnerable to intersectional discrimination and subordination because of the ways that race and gender interact to heighten their exclusion from land rights. The Special Rapporteur concluded by assuring the Working Group of her close cooperation on the proposed declaration, including specifically on the question of land rights.

36. During the interactive discussion, Mr. Sunga noted the recommendation of giving land to people of African descent as a way of compensating for enslavement. He asked how such land rights could be formulated alongside the rights of indigenous peoples. In response, Mr. Nehusi said that in the Americas, the labour of people of African descent on the land meant that they belonged to the land and vice versa. He commented that while land might not be claimed in compensation while dispossessing its rightful owners, those lands where people of African descent had lived could be provided to them. Ms. Petrus-Barry noted the important connection between land and the remembrance of ancestors for people of African descent. Mr. Nehusi noted that colonialism had fractured African people through the erasure of African cultures and traditions, as well as importing the colonizers' own schisms — for example, there were British-dominated parts of the Caribbean and French parts of the Caribbean. He called for disconnected groups to restore unity and freely exchange information among themselves. Ms. Petrus-Barry echoed this suggestion, acknowledging that language was often a formidable barrier to finding common cultural grounds. She also raised the issue of human rights defenders who are at risk of criminalization as they pursue African land rights in addition to other rights. One representative of civil society raised concerns over racial discrimination against Afro-Colombians and their right to free, prior and informed consultation in relation to land in Colombia. Similarly, another civil society representative shared information about discriminatory housing practices in the United States.

37. The fourth panel focused on the theme "Reparations for people of African descent". Ms. Petrus-Barry gave an introductory presentation on the topic. She defined reparations in the context of the deportation and enslavement of Africans and the Durban Declaration and Programme of Action. Ms. Petrus-Barry also emphasized the need to make reparations to people of African descent for such crimes and pointed out that only after confronting past and current theories related to the presumed inferiority of people of African descent, would the general public pay attention to violent acts of racism, question their own mentality and accept legislative changes at the national level that could reverse the discrimination and violent extremism that face people of African descent. Ms. Petrus-Barry then examined international human rights tools for reparations, including the Caribbean Community (CARICOM) 10-point plan for reparatory justice, which had been endorsed by the Working

Group as a basis for reparatory justice for people of African descent. On the issue of a binding international legal reparation system, she suggested that the proposed declaration could also be useful in that regard. In addition, she noted that the International Decade for People of African Descent could offer a real opportunity to build a strong international link and networks among people of African descent to support the process of reparations.

38. In her presentation, Ms. Chevry affirmed the urgent need for reparations for the crime against humanity that transpired during enslavement and the transatlantic trade in enslaved Africans. She reiterated the need for reparations, including individual claims for financial reparations and the setting up of expert bodies to evaluate the magnitude of those violations. She added that other forms of reparations could be the returning of land taken by settlers and in the possession of their heirs. Ms. Chevry also stated it was unacceptable to apply non-retroactivity on crimes against humanity and any more delay should be met with increased reparations. Mr. Nehusi highlighted the need for reparations as an end to centuries of destruction, subjugation and continuing exploitation of the African people and their resources. He stated that positive discrimination was vital, despite some believing that it was wrong that African people should receive assistance from States that had traditionally repressed them. He added that financial reparation was important, but it was difficult to quantify the intergenerational psychological pain inherited by people of African descent. He concluded by saying there were intergenerational physical manifestations of trauma suffered as a result of enslavement, such as an increased risk of diabetes and coronary disease.

39. In the ensuing interactive dialogue, Mr. Reid suggested placing reparations within the framework of the right to development. He also outlined the various forms of deprivation inflicted upon people of African descent and how that could determine the type of reparations to be sought. He stated that in addition to health issues, illiteracy was also a consequence of enslavement, and given the massive detriment to development such illiteracy rates had, reparations in the context of the right to development would oblige European countries to undertake a broader range of responsibilities to facilitate sustainable development. The issue of double taxation was also raised with regard to reparations. If State taxes were used to pay for reparations and people of African descent were paying taxes, victims were ultimately paying for their own reparations, which defeated the purpose. Mr. Nehusi therefore suggested tax relief for people of African descent, whether full or partial exclusion from taxes, which could create a sort of "structured settlement" over time, reducing the burden on successive generations of people of African descent. In that connection, Pastor Murillo Martinez, a member of the Committee on the Elimination of Racial Discrimination, also referred to the CARICOM 10-point plan for reparatory justice, specifically article 10 that calls for debt cancellation for the Caribbean countries. Representatives of civil society suggested the possibility of the Working Group preparing a report on reparations that would include articulation of their importance to the equality of human dignity and rights for people of African descent and recommendations that would include the establishment of a tribunal dedicated to the issue of reparatory justice. Another civil society representative pointed to conclusions at the Durban Review Conference, where the nations of the world reached a consensus that enslavement was a crime against humanity, that victims of those atrocities were entitled to reparations and that there was no statute of limitations, underscoring the legal foundation for the basis of reparations. The basic principles of remedies for victims of gross and serious violations under humanitarian law, enacted in General Assembly resolution 60/147 including (a) restitution; (b) rehabilitation; (c) compensation; (d) safeguarding and protection from future violations, were also raised. Reparations in the form of return of history, including opening the archives of museums to document the histories of people of African descent and having museums return African artefacts to people of African descent and/or African institutions were also raised.

40. The fifth and sixth panels were devoted to discussion on the theme of "Elaboration of a draft declaration on the promotion and full respect of human rights of people of African descent, including feedback on the questionnaire", pursuant to Human Rights Council resolution 35/30 and General Assembly resolution 69/16. As part of the preparatory work, the Working Group sent a note verbale to all Member States and a call for submissions to civil society, requesting submissions on the scope of the declaration. The

Working Group asked for input on the key human rights and specific guarantees that the draft declaration must include. It received 5 submissions from Member States and 20 from civil society. Ms. Petrus-Barry presented a compilation of all the submissions, including inputs from the Working Group. Before starting her presentation, she encouraged Member States and civil society to make further submissions and comments before 1 October 2018.

41. Ms. Petrus-Barry presented suggestions for a preamble of the draft declaration, referring to the language used in the Durban Declaration and Programme of Action. That included calling upon States to recognize the existence of their populations of people of African descent and the cultural, economic, political and scientific contributions made by these populations. Other inputs would focus on the relationship between the legacy of the transatlantic trade in enslaved Africans and colonialism and the persistence of racism, racial discrimination, Afrophobia, xenophobia and related forms of intolerance against people of African descent today, adding multiple and intersecting forms of discrimination, such as age, gender, sexual orientation, religion and economic situation.

42. Submitting entities also called for the draft declaration to encourage Member States that have not yet ratified the International Convention on the Elimination of All Forms of Racial Discrimination and other international agreements related to combating racism and discrimination to do so. Also emphasized in the submissions was the suggestion that the draft declaration should include a mandate for States to make a genuine commitment to collecting disaggregated data according to the motto of the Sustainable Development Goals — "leave no one behind". The availability of, and access to, data and statistics disaggregated by income, gender, age, race, ethnicity, migratory status, disability, geographic location and others are important for monitoring the implementation of the Sustainable Development Goals. The draft declaration should also assert a right to reparations and reparatory justice for the descendants of enslaved Africans, within the legal framework of the Durban Declaration and Programme of Action and of the International Convention on the Elimination of All Forms of Racial Discrimination (art. 6). The view that fundamental rights, such as the right to life, liberty, and security of the person, should be included in the draft declaration was also included in submissions. Furthermore, equality before the law should be guaranteed for people of African descent in the draft declaration, including the right to presumption of innocence, the right to an independent and impartial tribunal, including equal treatment before that tribunal, the right to the assistance of counsel, the right to a fair trial and the right to ensure full and effective access to the justice system.

43. The draft declaration should focus on the right of people of African descent to security of person and protection by the State against violence or bodily harm. Violence or bodily harm includes ethnic or racial profiling, disappearances, extrajudicial executions, torture and unequal treatment on the economic, social and political levels, whether inflicted by government officials or by any individual group or institution, including law enforcement and the judiciary. The Working Group has also recommended the setting up of national observatories on racial profiling to identify and document violations of rights for people of African descent and for them to report instances and receive reparations for those violations. It was suggested that this section of the draft declaration should also include a reference to the responsibility of States regarding the training, control and accountability of law enforcement personnel, with the goal of ending the systematic and institutionalized targeting and killing of people of African descent, particularly youth. It was also suggested that articles advocating for abolition of the death penalty in States where it still exists should also be included.

44. The draft declaration should include robust legal protections against discrimination and violent crimes, especially those motivated by hate based on race. All States should be required to counter offline and online hate speech and incitement to hatred from extremist political parties, movements and groups, including neo-Nazis, skinhead groups and similar extremist ideological groups. In addition, a comprehensive approach based on a solid legal framework, complemented by other key measures, including education and awareness-raising programmes and the training of law enforcement officials and members of the judiciary on Afrocentric issues and victim-centred approaches, should be further developed. States should also ensure that the abuse, exploitation, trafficking and torture of, and all forms of violence against, children of African descent are adequately prevented or

prosecuted, while also ensuring that women and girls of African descent are not subject to forced marriage and female genital mutilation. Similarly, Ms. Petrus-Barry stated that submissions also called for the inclusion of the rights of migrants, refugees and asylum seekers in the draft declaration, as well as positive measures to reduce the inequalities that marginalize communities of African descent.

45. The draft declaration should re-assert the human right to health and well-being, and highlight new global risks, such as climate change, environmental degradation and pollution, and urban migration. It should also call upon States to take appropriate steps to ensure that people of African descent are fully and effectively included in the schemes of universal health coverage and the public health system. In the same connection, the draft declaration should call upon States to adopt specific programmes with the aim of further decreasing the incidence of the diseases referred to in target 3.3 of the Sustainable Development Goals among people of African descent. In terms of substance abuse, the declaration should aim at prevention and treatment of the abuse and providing ways for the reintegration of substance abusers with other members of society. Reproductive health provisions should include reducing global maternal mortality and the preventable deaths of newborns and children under 5 years of age within the population of African descent. States should also support a multinational team of healers to develop pan-African black psychology treatments and healing protocols to address the psychiatric damage stemming from the dehumanizing assault of the colonization and enslavement of peoples of African descent.

46. Submitting entities also called upon States to document the number of people of African descent living in areas that were likely to be affected by climate change and to develop national preventive measures, including putting in place disaster management programmes aimed at protecting people. States were called upon to develop educational programmes aimed at raising the awareness of people of African descent of climate change mitigation, adaptation, impact reduction and early warning. In the draft declaration States should be encouraged to take all necessary steps to eradicate hunger and poverty, while ensuring an increase in the agricultural productivity and incomes of small-scale producers of African descent.

47. According to the submissions, the draft declaration should encourage Member States to develop legislation and land reforms to ensure adequate housing and the land rights of people of African descent, especially pursuant to Committee on the Elimination of Racial Discrimination, general recommendation No. 34 (2011) on racial discrimination against people of African descent. Similarly, employment should also be available to people of African descent without discrimination, as required by the International Labour Organization (ILO) Discrimination (Employment and Occupation) Convention, 1958 (No. 111). The draft declaration should include provisions regarding improvements in anti-discrimination legislation and its enforcement in employment, by focusing on and addressing multiple forms of discrimination, such as discrimination based on race, colour, gender and disability. In their submissions, entities also emphasized the right of people of African descent to be able to establish and manage their educational systems and institutions, providing education in their own languages in a manner appropriate to their cultural methods of teaching and learning. The rights and freedoms and corresponding State obligations outlined in the draft declaration should also include cultural rights, such as the right to engage in and teach African religions and spiritual practices. In that connection, States should also be encouraged to promote and fund academic and research endeavours related to African history. Ms. Petrus-Barry also shared submissions pertaining to the need to establish positive measures. The draft declaration should include similar provisions for people of African descent who experience multiple and intersecting forms of discrimination based on sexual identity, gender expression, religion or belief (art. 14 of the Durban Declaration and Programme of Action), national or ethnic origin and all other forms of protected identities. The declaration should advocate for the repeal of discriminatory laws on any of those protected grounds.

48. During the interactive dialogue, the representative of the United States shared its best practices on promoting tolerance, non-discrimination and inclusivity, as well as protecting and promoting the human rights of people of African descent, including freedom

of expression, association and peaceful assembly. Mr. Murillo Martinez highlighted the close link between global risks, such as extreme weather events, large involuntary mass migrations, severe natural disasters and large-scale terrorist attacks, and the impact of those risks to people of African descent in the context of the 2030 Agenda for Sustainable Development. He also focused on the need for comprehensive data on people of African descent, including the identification of victims and documentation of the consequences of the past and its impact on victims today, as elements to be included in the draft declaration. One civil society representative reiterated the importance of positive measures and reparatory justice for people of African descent. Another civil society representative raised the issue of racism and racial discrimination in cyberspace, including surveillance and wiretapping activities aimed at social movements.

49. Mr. Balcerzak reminded participants of the one-day meeting to be held during the next session of the Intergovernmental Working Group on the effective implementation of the Durban Declaration and Programme of Action, at which participants would consider the elaboration of the draft declaration, and therefore requested all Member States and civil society to continue to send their inputs. Mr. Reid suggested developing a concise document incorporating all the feedback received. Mr. Murillo Martinez suggested focusing on the aims, scopes, concepts and principles of the draft declaration beforehand, in order to make the meeting fruitful. He emphasized that the declaration needed to consider the human rights concerns of three groups of people of African descent: (a) victims of the transatlantic trade in enslaved Africans; (b) Africans who have migrated and are second-generation descendants of victims of the transatlantic trade in enslaved Africans; (c) Migrant populations, which have recently crossed the Mediterranean. African countries and their role in the declaration should also be considered. Mr. Martinez also emphasized that the declaration needed to address the issue of racial profiling. He added that another area that needed to be covered through the declaration was self-identification. Ms. Petrus-Barry agreed, adding that the key issue for people of African descent was their invisibility, given the lack of data on their human rights situation.

V. Conclusions and recommendations

50. The Working Group thanks Member States and representatives of international organizations and civil society for their active participation.

A. Conclusions

51. **Equality and non-discrimination are foundational principles of human rights. Any act of racial discrimination, Afrophobia, xenophobia and related intolerance runs contrary to those principles. The Working Group concludes that the heightened security measures adopted by States have increased the risk of violations of the rights of people of African descent, while the spectre of terrorism has fanned the flames of right-wing extremism.**

52. **Criminalization of irregular entry and other discriminatory State actions, including immigration legislation and practices, perpetuate negative perceptions of migrants and people of African descent, while bolstering support for right-wing extremism. Violent manifestations of xenophobia, Afrophobia and hate speech against non-nationals, particularly migrants, refugees and asylum seekers, contribute to structural racism. The Working Group is also concerned by increasing levels of racism in sport.**

53. **The Working Group is concerned that some States do not collect disaggregated data that reflects the magnitude of racism, racial discrimination, hate speech and hate crimes perpetrated against people of African descent. States that do not collect and analyse disaggregated data lack the information necessary to address racism and intolerance effectively, including measures to counter extremist ideologies and hate speech.**

54. Institutional and structural racism and racial discrimination are the legacies of enslavement, colonialism, neocolonialism and centuries of dehumanization. People of African descent are disproportionately discriminated against in the administration of justice. Racial profiling gives rise to police brutality and other violations, particularly against people of African descent. Trends ranging from stop and search to the killing of people of African descent by law enforcement agents are of grave concern to the Working Group.

55. The overrepresentation of people of African descent in prisons is a major concern for the Working Group. People of African descent are less likely to be granted bail than others, thereby spending more time in jail before they are even convicted of a crime. They are more likely to receive harsher sentences for the same crimes than others. Once incarcerated, people of African descent are more likely to be segregated and subjected to violence at the hands of prison staff, and are more likely to die while in custody. People of African descent are also underrepresented in employment in the justice system.

56. The Working Group is concerned by the growing trend of criminalization and sexual exploitation of women of African descent. That also leads to infringement of the rights of children, some of whom are born and remain in prisons or detention centres for prolonged periods of time.

57. In the criminal justice system, language barriers can be compounded by social or cultural pressure to speak a language that migrants, refugees and asylum seekers of African descent do not understand. Some may not be aware of the right to use their language or have access to interpretation where it is available. Such barriers can lead to miscommunication and grave injustices.

58. For people of African descent, land is a strategic resource. Among other things, it is a source of livelihood and economic activity for them and informs their identity, culture, spirituality and self-worth. Historically, people of African descent have been subjected to violent dispossession of their lands and continue to struggle to maintain collective control of them. In urban settings, people of African descent confront documented, egregious racial discrimination related to security of tenure, including in their access to housing.

59. Women are especially vulnerable to multiple and intersecting forms of discrimination, which heightens their exclusion from land rights. Patriarchal cultural practices, in combination with legal frameworks, exclude women from realizing their land rights. That is despite the pivotal role that women play in productive land use and supporting families and communities, often doing so in the absence of compensation for and recognition of their fundamental roles.

60. A growing number of people of African descent aspire to return to their ancestral lands in Africa. Those who return to Africa require support to facilitate access to landownership.

61. People of African descent have a right to reparations, which should be proportional to the gravity of the violations and the harm suffered. The consequences of the trade in enslaved Africans, enslavement, colonialism, neocolonialism and discrimination go beyond mere financial inequalities. They include injustices, such as intergenerational health issues, disproportionately high illiteracy rates and the erasure of collective culture, history and identity. Reparations include the right to restitution, rehabilitation, compensation, and safeguarding and protection from future violations.

62. The Working Group is concerned by the risk of people of African descent making contributions to State funds, including through taxation, that could be used to pay reparations to descendants of enslaved Africans.

63. The principle aspect of the draft declaration should be made clear: that people of African descent are particularly vulnerable to structural discrimination and various forms of inequity with respect to the enjoyment of human rights. Equality and non-discrimination are foundational principles of human rights.

64. The draft declaration provides an opportunity to consider the impact of historical injustices and structural racism on people of African descent and to remedy their consequences. It is also an opportunity to elaborate rights that are not yet enshrined in the international legal framework and that are specific to the experience of people of African descent.

65. The draft declaration will establish or reaffirm standards related to the individual and collective rights of people of African descent, including the right to reparations; recognition as ethnic communities and groups; the right to communal ownership of their ancestral lands; the preservation of traditional knowledge; and the right to an equitable share of resources.

66. The success of the draft declaration relies upon the participation of all Member States, regional and international organizations, United Nations funds and programmes, specialized agencies, civil society organizations and all other relevant stakeholders.

B. Recommendations

67. States should engage with communities, especially those with long histories of mistrust of authorities, including people of African descent, to prevent and counteract any instances of racial violence, hate speech and incitement to hatred. States should develop zero-tolerance policies towards white supremacy and other extremist nationalist and populist ideologies, hate speech and incitement to hatred. Specific legal measures should be implemented to ensure that perpetrators are prosecuted and brought to justice. Such measures might include provisions introducing aggravated criminal responsibility for such acts, but they should also address the area of prevention. Social campaigns and educational measures are strongly advised. People of African descent engaged in the exercise of their rights to freedom of expression and peaceful assembly should not be targeted or criminalized.

68. States should develop joint and participatory strategies, including with civil society and local communities, to prevent the emergence of violent extremism, protect communities from recruitment and the threat of violent extremism, and support confidence-building measures at the community level by providing appropriate platforms for dialogue and the early identification of grievances. The Working Group recommends the development of technological tools, such as applications, for capturing data on racial discrimination and profiling. States should increase collaboration with sport federations and fan clubs to combat racism in sports.

69. States should conduct censuses and collect disaggregated data in a way that will accurately reflect the human rights situation of people of African descent and the multiple and intersecting forms of discrimination and violence that they face. States should utilize that disaggregated data to develop policies on the prevention and monitoring of white supremacy and other extremist nationalist and populist ideologies, hate speech and incidents of incitement to hatred.

70. States should criminalize acts of racial profiling, collect and publish statistics about police stop and search practices and abuse, and monitor trends regarding racial profiling and treatment of people of African descent by law enforcement agents. They should also end impunity for any member of law enforcement who engages in racial profiling and ensure that victims can gain access to the justice system. States that have not yet done so should establish independent oversight bodies for police agencies, with the authority to conduct investigations of all complaints of human rights violations. States should strengthen human rights training and awareness-raising activities designed for immigration officials, border police, the staff of detention centres and prisons, local authorities and civil servants in charge of enforcing laws. National security forces should receive training on the proper treatment of migrants and asylum seekers.

71. **Member States should, as a matter of priority and urgency, address the overrepresentation of people of African descent in prisons and take positive measures at all levels of the justice system to end the mass incarceration of people of African descent. States are encouraged to explore alternatives to prosecution and incarceration, including alternative dispute resolution processes and restorative justice initiatives. States must engage in bail reform to ensure that people of African descent are not more likely than others to be detained prior to their trial. States should ensure training for sentencing judges and judges should be reminded of the principle of proportionality in sentencing. States should take positive measures to ensure the representation of people of African descent in the justice system, including in law enforcement and among lawyers and the judiciary.**

72. **The Working Group recommends that States end the disproportionate criminalization of women of African descent and the violation of their rights. The best interests of children should be paramount.**

73. **States should ensure that people of African descent are afforded the necessary language interpretation services throughout the justice system.**

74. **Land rights should form the cornerstone of the promotion of and full respect for the human rights of people of African descent. Land rights for people of African descent must therefore be legally recognized. The enactment of ancestral rights laws should be taken into consideration. Member States should guarantee the recognition, titling and demarcation of land belonging to people of African descent, with the aim of resolving outstanding land claim issues within communities of African descent. Member States should remove the bureaucratic obstacles that prevent people of African descent from rightfully claiming their land, including by ensuring affordable access to legal representation.**

75. **The Working Group recommends that States consider women of African descent as a primary focus in guaranteeing land rights. Women must play a central role in the formulation and implementation of protective policies and strategies related to land rights, at the national, local and community levels.**

76. **States should work with civil society groups to create programmes aimed at facilitating resettlement, including aiding access to land rights for people of African descent who are resettling in Africa.**

77. **The Working Group reiterates the content of paragraph 101 of the Durban Declaration and Programme of Action, that with a view to closing those dark chapters in history and as a means of reconciliation and healing, the international community and its members are invited to honour the memory of the victims of past tragedies, including the transatlantic trade in enslaved Africans. The Working Group further notes that some have taken the initiative of regretting or expressing remorse or presenting apologies and calls on members that actively participated in the transatlantic trade in enslaved Africans to pay reparations to their descendants, who continue to suffer the consequences of the slave trade and colonialism, and to contribute to restoring the dignity of the victims.**

78. **The right to reparations for genocide and crimes against humanity, such as the transatlantic trade in enslaved Africans, colonialism and neocolonialism is not subject to any statute of limitations. States responsible for historical injustices must ensure that reparations are made for those injustices to people of African descent. In addition to financial compensation, those States should consider special measures, including quotas in education and employment in governmental and private sectors. States must provide reparations in a manner that fully respects and implements the right to development of people of African descent. A tribunal dedicated to the issue of reparatory justice should be established. The Working Group recommends the CARICOM 10-point action plan for reparatory justice as a guiding framework.**

79. **States should consider, where relevant, implementing a tax-relief scheme that avoids double taxation for people of African descent, while simultaneously easing the burden on successive generations of people of African descent.**

80. **The draft declaration should call upon States to recognize the existence of their populations of people of African descent and the cultural, economic, political and scientific contributions they have made. It must stress the relationship between the legacy of the transatlantic trade in enslaved Africans and colonialism and the persistence of racism, racial discrimination, xenophobia and related forms of intolerance against people of African descent today. The draft declaration should also address the marginalization, poverty and exclusion faced by people of African descent, and their vulnerable condition owing to multiple and intersecting forms of discrimination. The draft declaration should underline the importance of eradicating all forms of discrimination faced by people of African descent, including through the framework of the 2030 Agenda for Sustainable Development.**

81. **The draft declaration should emphasize that people of African descent, as a collective and as individuals, have the right to the full enjoyment of all human rights and fundamental freedoms as recognized in international human rights law. It should require all States to ratify the relevant treaties and ensure that national legislation is compatible with international human rights law.**

82. **The draft declaration should include guarantees for civil and political rights, and economic, social and cultural rights. It should also include reparations; protection of land rights; protection from State violence, including racial profiling; protection against hate crimes; protection for human rights defenders; and protection for migrants, refugees and asylum seekers of African descent. States should also be called upon to establish positive measures to ensure the participation of people of African descent at all levels of society and in all areas of employment, including guaranteeing a high level of political participation.**

83. **The Working Group recommends that all Member States, regional and international organizations, United Nations funds and programmes, specialized agencies, civil society organizations and all other relevant stakeholders implement the Durban Declaration and Programme of Action and the programme of activities of the International Decade for People of African Descent. The Working Group reiterates its call and urges Member States to reach consensus as soon as possible, so that the forum for people of African descent can be held at the earliest opportunity.**

Annex

List of participants at the twenty-second session

A. Members of the Working Group

Mr. Michal Balcerzak

Mr. Sabelo Gumedze

Ms. Marie-Evelyne Petrus-Barry

Mr. Ahmed Reid

Mr. Ricardo A. Sunga III

B. Member States

Argentina, Bolivia (Plurinational State of), Brazil, Canada, Colombia, Dominican Republic, Ecuador, Guyana, Haiti, Jamaica, Japan, Mexico, Morocco, Peru, South Africa, Togo, United States of America, Venezuela (Bolivarian Republic of)

C. Non-member States

Holy See

D. Intergovernmental organizations

European Union, International Labour Organization (ILO)

E. Non-governmental organizations not in consultative status with the Economic and Social Council

Advocates for Human Rights USA, Instituto Internationale Maria Ausiliatrice (IIMA), France Ô

F. Panellists and presenters

Evita Chevry, Attorney, Guadeloupe

Joe Frans, former member of the Swedish parliament and former Chair of the Working Group of Experts on People of African Descent

Kimani Nehusi, Professor of Africology and African American Studies at Temple University, United States

E. Tendayi Achiume, Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance

Pastor Murillo Martinez, member of the Committee on the Elimination of Racial Discrimination